REMARKS

This is a full and timely response to the outstanding non-final Office Action electronically delivered on October 7, 2009. The Applicant hereby respectfully requests entry of amendments to claims 1 and cancellations to claims 2 and 5 as set forth hereinbefore to place the present application in condition for allowance. Reconsideration and allowance of the application, as amended, are earnestly requested.

Present Status of the Application

Claims 1-5, 7-11, 13-17, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* (US Publication No. 2004/0015953, hereinafter "*Vincent*") in view of *Zhang et al.* (US Patent No. 7,228,539, hereinafter "*Zhang*").

Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* in view of *Harrow et al.* (US Publication No. 2003/0074403, hereinafter "*Harrow*").

Claims 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* in view of *Zhang*.

Response to Claim Rejections under 35 U.S.C. 103(a)

Claims 1-5, 7-11, 13-17, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent in view of Zhang. Claims 6 and 25 are rejected under 35

U.S.C. 103(a) as being unpatentable over Vincent in view of Harrow. Claims 12 and 20

are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent in view of Zhang.

Regarding claim 1, the Examiner admitted that "Vincent does not disclose first-client server communicates with system server using interversion protocol", but insisted that Zhang discloses the claimed feature. In response thereto, the Applicant respectfully submits that neither Vincent nor Zhang discloses the features of "receiving an absent updated software version from one of said other user terminals having said absent updated software version first, and receiving the absent updated software version from said system server if no other user terminals has said absent updated software version" of the application.

In detail, referring to the structure illustrated in FIG. 1 and FIG. 2 of the application, it is known that the system of the application comprises a system server 12 and a plurality of sub-networks 14, which respectively comprises a plurality of user terminals 18. As shown in FIG. 2, **the user terminals 18 not only communicate with the system server 12 through FTP and IVP, but also communicate with each other through FTAP and IVP**. Based on this structure, when performing software update, the user terminal first broadcasts an inquiry to other user terminals and then **transmits the absent updated software version from the user terminal having the absent updated software version** according to the inquiry broadcast received from other user terminals. If no other user terminals has the absent updated software version, the user terminal **then receives the absent updated software version from the system server**.

However, paragraph [0056] of Vincent discloses that when browser 166 requests a particular data file 172 from a web server 162 across the computer network 116, it obtains a required component list (e.g. TABLE 1) included in the data file 172 from the web server 162. Wherein, as disclosed in paragraph [0059], the location code field specifies a network location at which an update table can be obtained. According to the obtained required component list, paragraph [0063] of Vincent further discloses that the user computer 112 requests from software server 160 an update table 178 (e.g. TABLE 2), which specifies the network locations from which the required software components can be obtained.

Accordingly, it is known from the above that Vincent needs to **obtain the update table from the software server first so as to know the location of the required software components based on the update table**. Compare the application with Vincent, it can be concluded that the structure of the application is different from that of Vincent, in which the application requests the absent updated software version **from other user terminals through broadcasting an inquiry to other user terminals**, while Vincent obtains the required software components **from software servers or computers based on the update table obtained from the software server**. Since the application starts searching the absent updated software version from the neighboring user terminals in the sub-network, the bandwidth between the user terminals and the server can be saved.

Based on the above, the Applicant respectfully submits entry of amendments to claim 1 so as to include the distinguishable feature of "broadcasting an inquiry in said sub-network in determining whether said plurality of unselected user terminals include

any of said absent updated software versions" as claimed in claim 2 and the distinguishable feature of "receiving an inquiry broadcast from said plurality of unselected user terminals by said first client-server structure; and transmitting one of said updated software versions in response to said inquiry broadcast" as claimed in claim 5. Accordingly, it is believed that Vincent, Zhang, and Harrow, alone or in combination, do not disclose distinguishable feature of claim 1, as amended, thus the prima facie case of obviousness has not yet been established. Withdrawal of the rejection of claim 1 and its dependent claims 3-4 and 6-8 is respectfully requested.

Regarding claim 10, the Applicant respectfully submits that claim 10 has already disclosed the distinguishable features of "a client provided in said first client-server structure of said first user terminal for broadcasting an inquiry to the second user terminal to determine whether the second user terminal has at least one of said updated software versions that are absent in said first user terminal"; "a first server provided in said first client-server structure of said second user terminal for receiving the inquiry broadcast by the first user terminal"; and "a second server provided in said second client-server structure of said second user terminal for transmitting one of said updates software versions to said first user terminal in response to said inquiry broadcast." Therefore, it is believed that Vincent, Zhang, and Harrow, alone or in combination, do not disclose distinguishable feature of claim 10, thus the prima facie case of obviousness has not yet been established. Withdrawal of the rejection of claim 10 and its dependent claims 11-16 is respectfully requested.

Regarding claim 17, the Applicant respectfully submits that claim 17 has already

disclosed the distinguishable features of "a plurality of user terminals grouped to form a sub-network,..., broadcasts in said sub-network an inquiry as to whether any other user terminals have any updated software versions absent therein, receives an inquiry broadcasted by said other user terminals." Therefore, it is believed that Vincent, Zhang, and Harrow, alone or in combination, do not disclose distinguishable feature of claim 17, thus the prima facie case of obviousness has not yet been established. Withdrawal of the rejection of claim 10 and its dependent claims 20-25 is respectfully requested.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, 3-4, 6-8, 10-17 and 20-25 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Office believes that a telephone conference would expedite the examination of the above-identified patent application, the Office is invited to call the undersigned.

Respectfully submitted,

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Oct. 19, 2009

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